



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/9/08

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 8, 2008

BY FAX

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Frank Rodriguez
07 Cr. 845 (AKH)

Dear Judge Hellerstein:

I write to confirm that the next pretrial conference (or plea) in this matter is scheduled for January 29, 2008 at 4pm.

The Government also requests that the Court exclude time until January 29, 2008. The Government submits that such exclusion is warranted pursuant to 18 U.S.C. § 8161(h)(8)(A). Specifically, the ends of justice outweigh the best interest of the public and the defendant in a speedy trial because it affords the defendant the opportunity to receive effective assistance of counsel in connection with ongoing plea discussions. I received a message from Mr. Aiello last night indicating that he consents to the Government's request.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By:

William J. Harrington
William J. Harrington
Assistant United States Attorney
212-637-2331

cc: Ronald Aiello (by fax)
Counsel for the defendant

Time is excluded, and Conf. is adj. until 2/8/08 @ 11:30 a.m. 1-9-08

RECEIVED
JAN 9 2008
ALVIN K. HELLERSTEIN